

**DELIVERABLE N° 15: Final Comparative Report**

**EXECUTIVE SUMMARY**

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**Title:** Enlargement, Gender and Governance: The Civic and Political Participation and Representation of Women in Central and Eastern Europe (EGG)

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# 1. Executive Summary

## 1.1 Aims and Scope of the Research

The political situation in the Baltics, Central and Eastern Europe, and Southeastern Europe has changed dramatically since the fall of the Berlin Wall in 1989, as many countries in these regions are undergoing the twin processes of ‘democratisation’ and ‘Europeanisation’ by reforming their political and economic institutions. Illustrative of the progress made during the past decade, eight of these countries became members of the European Union on 1 May 2004 while Bulgaria and Romania are due to join in 2007.

The project examined the impact that the two most significant political events of recent times – democratisation and EU accession – have had in building a political and civic culture that supports the *de facto* inclusion of women, women’s interests, and gender equality in decision-making institutions in these countries (hereafter ‘CEE’). In particular, the research sought to explore the extent to which democratic attitudes and belief systems are shared by governing elites and reflected in active citizenship practices of CEE, by analysing the gender dynamics of governance in these countries, as well as the obstacles to women’s participation in governance. In addition, the research investigated the influence of EU accession by examining the extent to which EU gender equality norms have become embedded in the policy cultures of the new member and accession states.

The research focused around three main questions:

- To what extent, and in what ways, have the twin forces of democratisation and EU accession influenced women’s civic and political participation in CEE?
- To what extent, and in what ways, are women’s civil associations embedded in the equality policy frameworks of these countries?
- Are there specific strategies that could be adopted to enhance women’s contribution to governance?

The specific objectives of the project were:

- To trace, map and analyse the contribution of women's political and civic organisations to governance in CEE countries as they evolve through democratisation and EU integration.
- To analyse the extent to which institutions encourage or inhibit women's representation and participation in discussing and determining policies and actions in which women have direct and indirect interests.
- To identify areas where women's participation is weaker and assess why this is so.
- To identify new forms of gender discrimination and segregation in the public sphere in post-communist countries and assess the measures required to address these problems.
- To evaluate women's influence on the adoption and implementation of current Commission and national government policies, such as gender mainstreaming and the implementation of the EU equality *acquis*.
- To evaluate whether effective monitoring bodies have been established to ensure the enforcement of this legislation.

## **1.2 Description of Project Findings**

This section provides a description of the main research results, organised around four thematic areas:

Trends in Women's Political and Civic Participation: This examines the patterns of women's political and civic participation in CEE since 1989.

Barriers to Women's Political Representation: This analyses opportunities and constraints that are at the root of the main sites of women's political representation.

Europeanising Gender Equality: This evaluates the extent to which EU accession has reoriented the direction and shape of national policy on gender equality in CEE, as well as identifying the barriers hindering the implementation of such policy.

Gender Mainstreaming Case Study: Trafficking in Women for the Purposes of Sexual Exploitation: This examines the extent to which a gender equality perspective has been

incorporated in the policies and legislation against trafficking in women in the countries under study.

The study drew on a wide range of both qualitative and quantitative sources. These included:

- Semi-structured interviews with key actors. Between September 2003 and March 2005, a total of 280 semi-structured interviews were conducted in all the ten countries under study. Those interviewed included: women politicians (68); government officials working on gender equality/equal opportunities units (68); representatives of women's NGOs (58); women artists and journalists (28); women in academia (24); trade unions representatives (11); church representatives (9); women in former dissident/democratisation movements (8); judges and the police (3); employers (2); other (1);
- Documentary materials, including legislative texts, policy plans and programmes, transcripts of parliamentary sessions, reports from relevant NGOs and published research;
- Statistical data on women in politics, from pre-1989 times up to the situation in December 2005, compiled by consortium researchers across the ten countries under study;
- Cross-national survey data looking into public attitudes regarding gender roles in CEE and perceptions of women as political leaders.

### 1.2.1 Trends in women's political and civic participation

#### *Women in parliaments*

Prior to the events leading to the demise of state socialism in 1989, the average level of women's representation in CEE parliaments was relatively high when compared with those held in the liberal democracies of other parts of the continent. Thus, at the end of the 1980s women held on average 27 percent of positions in the delegated parliamentary

assemblies in the countries under study; a figure significantly higher than the average of 12.5 per cent held in the national parliaments of the twelve EU member states at the time. After 1989, there was a dramatic fall in the share of women legislators in all of the countries under study. On average, the proportion of women in parliament plummeted to 8.4 per cent. The fall in women's parliamentary seat-holding was especially marked in Romania and the three Baltic States, but less noticeable in Slovenia.

Since then, there has been a recovery in most CEE countries so that, by 2005, women's average seat holding was 17 per cent, though this figure is still significantly lower than European average of 22 per cent. The level of recovery has been particularly significant in Bulgaria as well as in the three Baltic states. However, it has been quite slow in Hungary, while in Slovenia the share of women legislators was actually lower in 2005 than in the first legislature after the country became independent in 1991.

#### *Women in governments*

During the period of state socialism, very few women held ministerial posts in the government executives across CEE, as these decision-making positions were usually given to senior members of the Communist Party, the overwhelming majority of whom were men. Moreover, the few women who held ministerial posts tended to be in charge of ministries deemed 'suitable' for them, such as education, health, culture, social affairs, and light industry. Following the transition to democracy in 1989, the proportion of women in government posts increased to a greater or lesser extent in most of the countries under study, with the exception of Slovakia and Slovenia. In some countries, women also began to hold traditionally male-dominated posts.

#### *State gender machineries*

Under the state-socialist regime, most CEE countries did not have special institutions in place to deal specifically with gender equality. One of the reasons for this is that the concept of gender equality as such was not part of the conceptual repertoire of the state ideology, which understood equality in terms of the emancipation of the proletariat,

irrespective of their sex. In recent years, all the countries under study have developed, to a greater or lesser degree, a national gender machinery which, in most cases, is comprised of more than one institution located both in the state administration and in the parliament. However, there is significant cross-national variation in the patterns of development of governmental gender machineries. In some countries, these are being expanded (Estonia); in others they have been subject to great fluctuations over the years (Poland); and in other countries there are clear signs of retrenchment (Hungary and Slovakia).

Looking at the evolution of CEE gender machineries over time, two general trends can be identified. The first concerns the diversification and decentralisation of national machineries, in both horizontal and vertical directions. Thus, in the majority of countries, the functions of the gender office in central government are being complemented by newly created advisory bodies, parliamentary committees, equal opportunities ombudsmen and gender focal points. In addition, gender equality units are being set up at regional and local levels of the administration with a remit to ensure the integration of a gender equality perspective in the policies emanating from those levels of governance. The second trend concerns the expansion in the remit of gender units to include other equality strands such as race, disability, sexual orientation, age, et al. This trend is particularly evident in the cases of Hungary, Lithuania, and Slovenia.

#### *Women movements/NGOs*

During state socialism, there were few independent social movements because the state prohibited free association among citizens. The communist authorities abolished civil associations (i.e., Estonia 1940, Bulgaria 1944, Hungary 1949, Poland 1952) and replaced them with state-sponsored and state-controlled organisations.

Civil society re-emerged in the 1980s, as evident in the founding of many trade unions (Solidarity in Poland) and dissent organisations (Charter 77 in Czechoslovakia). Indeed, Poland and Czechoslovakia provide two good examples of women's contribution to democratisation movements. In these countries, women played a significant role in these groups although they were never in the leading positions. Their primary role was as a support to the activities decided upon, and carried out, by leading male dissidents. In

addition, the issue of women's discrimination, if noticed at all, was considered a secondary issue that could be addressed eventually after freedom and democracy had been won for the entire society. After 1989, the destinies of women who were active in these groups followed very similar paths. Many of them withdrew from the public sphere altogether, while others joined the non-profit sector (Czech Republic) or the emerging feminist movement (Poland).

Since the mid 1990s, individual women's organisations have proliferated across the region, yet there is an ongoing debate as to whether the rapid flourishing of women-centred non-governmental organisations is a manifestation of a women's movement in CEE. The majority of respondents interviewed for this part of the research were of the view that, while individual NGOs are working on women's issues, there is not a uniform movement with common aims and platforms.

The case of Slovenia, however, is illustrative of an early development of a women's movement, though according to respondents in that country, this has been fading over the past few years, as the activities of women's organizations have become too 'service'-based and focused on practical help rather than aiming at social change.

The continued existence of an autonomous women's movement in Poland stands in contrast to much of what is happening to women's movements in the CEE region. In this country, women's organisations continued to flow from a feminist root in civil society. The women's movement was strengthened by activism on the abortion debate, which provided a catalyst for the formation of women's organisations, while also playing an important role in redefining the political arena and its relationship to civil society along the pluralistic lines associated with democratic activity.

Despite the lack of a women's movement in the majority of CEE countries, women's NGOs have begun working together collaboratively, developing national umbrella organisations as well as trans-national exchanges and relationships with Western alliances, ex-Soviet networks, and the EU.

*Strategies for increasing women's representation*

In general terms, the research found a widespread absence of systematic efforts to address the problem of women's under-representation in politics. However, there are a number of interesting initiatives and proposals that have been undertaken by women politicians as well as women's NGOs. These initiatives range from campaigns for the introduction of quotas, institutional innovations, and education and training programmes.

Gender quotas on candidate lists are viewed quite negatively across Central and Eastern Europe, as these tend to be associated with the former state socialist regime. Given this, it is not surprising that none of the countries under study have introduced legislation regarding either constitutional or legislative electoral gender quotas. The debate on political quotas for women has nonetheless been a lively one, for, in many CEE countries (Hungary, Lithuania, Poland and Slovakia) there have been a series of failed attempts to introduce gender quotas in political life, notably through proposals to parliament put forward by women in certain political parties and in NGOs. However, in Slovenia, women's efforts to change the legislation in order to allow for the introduction of gender quotas have been partially successful. In this country, the Coalition for the Balanced Representation of Women and Men in Politics succeeded in changing the 43<sup>rd</sup> Slovenian Constitution, which laid a legal basis for the establishment of formal electoral quotas in the country.

Several CEE countries have also implemented novel institutional mechanisms to increase women's political participation, while others are currently exploring or campaigning for possible reforms. These initiatives typically come from feminist activists working within political parties. Two remarkable examples are the Polish Green Party and the group Social Democratic Women within the Czech Social Democratic party.

Finally, in some countries, NGOs lobbying for a greater political representation of women have been especially active in raising public awareness as well as organising education and training programmes for women politicians. The trans-national project "Women Can Do It" is worthy of note in this regard for its wide geographical coverage. In addition, there are other remarkable projects being carried out at national level, such as the "Watchbitch" project in the Czech Republic

### 1.2.2 Barriers to women's political representation

The research analysed why women are under-represented in political decision-making in CEE. Findings for this analysis are organised in four sections. The first examines the barriers to women's political representation as these are perceived by relevant political actors in CEE. Section two looks at women elected representatives perceptions of their own roles, with a view to assessing the barriers and opportunities for representing women's interests in politics. Section three presents an analysis of cross-national data on a selection of indicators of attitudes towards gender roles and perceptions of women as political leaders, examining changes over the period 1990-2005. The section ends with a discussion of the main findings.

#### *Perceived barriers*

The analysis of interviews on barriers to women's representation revealed a significant degree of concurrence among respondents. The main barriers identified were grouped in the following six types:

##### a) Lack of confidence, interest and motivation:

Lack of confidence was described by respondents as 'a fear, on the part of women, of being exposed' or 'being afraid of making themselves look stupid'. Lack of interest in pursuing a career in politics, or in aspiring to high levels of office, was also an inhibitor frequently mentioned by respondents. Usually, this barrier was described in terms of a perception that the world of politics 'is not something for women' but rather a 'male world', requiring masculine attributes such as competitiveness, aggressiveness and self-assertiveness. A significant number of respondents provided an interpretation of this type of barrier as a personal problem. Indeed, the general perception is that lack of confidence, interest or motivation is a problem that can be overcome with a personal effort. This indicates a failure to take into account a deeper explanation whereby this type of barrier is seen as a product of social constructs rather than individual women's 'own fault'.

b) Family responsibilities:

Our interviews showed unanimity in identifying family responsibilities as a key barrier to women's political representation. In describing this barrier, respondents referred to lack of time; feelings of guilt; the unavailability of domestic help; and complained about the significant sacrifices that women have to overcome if they want to pursue a career in politics. Once again, a common theme emerging from the interviews is a failure to view those barriers in connection with deeper structural inequalities. In its place, respondents tended to analyse them merely as a problem of reconciling work and family life – a problem which is regarded as a personal or family issue and a sacrifice that all women entering politics have to undertake. Thus, respondents took for granted that women are the ones who have to carry the burden of family obligations. These views, which construct the problem at the level of the individual rather than as a societal or gendered concern, can be taken as a sign of the extent to which political women have internalised traditional gendered norms.

c) Perceptions of political women:

A third major barrier to the supply of women in politics mentioned by respondents related to the attitudes towards women politicians on the part of other (male) politicians, the media and society at large. Firstly, respondents complained of being targets of dismissive remarks from male colleagues; of being wilfully ignored when they want to speak in meetings; of being the subject of patronising behaviour and other forms of discrimination. Secondly, respondents referred to how women politicians are portrayed in the media according to stereotypical norms: e.g., a portrayal that concentrates on their looks and dress code, as well as on feminine attributes such as being 'gentle', 'modest' or 'caring'. Finally, respondents maintained that society tends to hold them responsible for any family problem while their partners were exempted of any such criticisms. In other words, women who do not conform to accepted social norms regarding gender roles are punished and, in many cases, chastised.

d) Reluctance by party selectors to choose female aspirants:

The majority of respondents emphasized that there are significantly fewer women than men in the parties' electoral lists and more importantly, that these women tend to occupy non-eligible positions at the bottom of those lists. Being mostly 'male' organisations, especially at the top decision-making level, party selectors choose other male candidates to occupy winnable seats, and in doing so they act to perpetuate the status quo while their power is kept un-threatened. This raises the question of what reasons there are for such reluctance on the part of party selectors to select women in winnable positions. One reason put forward by respondents is that of fear on the part of male politicians with respect to sharing power with female colleagues. A second reason put forward by respondents for women's difficulties in securing winnable positions on party lists is connected to their unproven record in attracting votes. Inaccessibility to male informal networks, and therefore being unknown to party gatekeepers, is a third explanation to women's invisibility in candidates' lists provided by a number of respondents. In their view, male politicians rely on exclusive 'old boys' networks to advance their political careers. Given the importance of these networks in facilitating career advancement, women's exclusion from them represents a significant obstacle to their political ambitions.

e) Lack of party support of female candidates:

Having got through the selection process and placed in a winnable position on a party list does not secure women's passage to power. At this point, male party colleagues tend to be reluctant to support female candidacies. Such lack of support is evident during election campaigns, as parties promote their male candidates much more than female ones. Lack of party support for women candidates is also reflected in the lack of preparation and training they provide to their female candidates in comparison to their male counterparts.

f) Lack of women's solidarity:

Respondents also mentioned a lack of solidarity and support among women as another important inhibitor of women's political representation. In their view, this barrier has different manifestations, such as women politicians not being successful in establishing women's networks and the reluctance of women voters to support women candidates. Respondents in different countries provided a variety of explanations for this, ranging from lack of time to socialise (Slovakia), high competition among women's politicians (Slovenia), and the fact that feminism has a bad reputation (Estonia).

#### *Women politicians' perceptions of their own role*

In investigating the main barriers and opportunities to women's political representation in CEE, the research also examined women's perceptions of their own roles as politicians and their commitment to 'gendering' politics and political life.

When prompted to talk about their role as politicians, a significant number of women MPs across different countries readily stated that they did not conceive such role as working for women and women's issues but rather for society at large. As a general rule, they made clear that they put the interest of their respective parties above their interest as women, and showed a strong dislike towards any 'feminist' label.

When asked about their impact upon political culture, respondents' arguments were based on essentialist notions about women's attributes. Women MPs claimed that political women were more tolerant, better communicators, more gentle and polite than their male colleagues. These perceptions suggest a view according to which the role of women legislators is mainly viewed as 'compensatory'; that is, as off-setting more aggressive male attributes by way of moderating conflict and, more generally, by introducing a different style of doing politics and exercising power.

In addition, women were claimed to be more sensitive towards certain issues such as social, educational and health matters, not only as a result of their 'feminine' attributes but also because these are the issues that truly mobilise women politically since they are most closely related to their experiences as mothers and carers. On the whole,

respondents did not see this as problematic; on the contrary, the majority of them were of the view that women's focus on social politics is beneficial for society, as this is a job that women tend to do 'better' than men.

*Public perceptions of gender roles and of women as political leaders*

The research examined the extent to which traditional gender-role attitudes and perceptions of women politicians have changed over the last decade in CEE and whether it is possible to discern a convergence of these societies towards other EU countries in this respect.

We selected four indicators of traditional attitudes towards gender roles in CEE, drawing on data from both the 1990 and the 1999-2000 series of the World Values Survey. These indicators include the proportion of the population surveyed who agreed with the three following statements:

- "A job is alright but what most women really want is a home and children"
- "A preschool child is likely to suffer if his or her mother works"
- "If jobs are scarce, men have more right to a job than women"
- "On the whole, men make better political leaders than women do"

The analysis uncovered important East-West differences in relation to both attitudes towards gender roles and perceptions of women as political leaders. These differences were especially marked at the beginning of the 1990s, which suggest that during the state socialist regimes, traditional values and attitudes towards gender roles were pervasive in CEE, despite the implementation of a formal model of equality that resulted in levels of women's participation in employment and politics significantly higher than in the West.

However, by the end of the decade, these East-West differences in values and attitudes towards gender roles, though still relatively significant, had diminished to a greater or lesser degree in all of the countries studied. In any case, such convergence is by no means uniform across the region, as in some countries the rate of change in gender equality values and attitudes has been more dramatic than in others. Although the data

regarding gender-role attitudes provides quite a mixed picture, a comparative examination of CEE countries shows that changes in this respect were particularly significant in the Baltic countries, especially in Estonia and Latvia, while in Lithuania, Poland and Romania traditional gender-role attitudes continue to be quite prevalent.

Slovenia provides a distinctive case, since gender equality values have been consistently closer to those of Western European countries throughout the decade. One possible explanation for this is that Slovenia, which operated within a less restrictive socialist regime within the former Yugoslavia, saw women's groups and civil society organisations emerging much earlier than in other parts of Central and Eastern Europe. These groups, which started to be formed in the 1980s, strived to raise public consciousness of gender equality issues as well as being instrumental in the establishment of gender equality machinery in the country in the early 1990s.

### *Discussion*

A common theme emerging from the interviews is a tendency to view barriers to women's political representation as a personal rather than as a cultural or social problem; thus overcoming those barriers is considered to be a matter of individual effort. Such perception of barriers to women's political representation as articulated by key actors is illuminating. A key finding from our analysis is the prevalence of gender stereotyping as a common source of obstruction to women's representation, both on the demand and on the supply side. Our findings also pointed to the rapidly institutionalising disadvantage that the gender gap in political representation generates. As successive democratic elections have not yielded equal results for women and men, women are increasingly being left behind in the competition for representative politics, making it even more difficult for them to seek selection alongside men, who are becoming experienced politicians.

Our findings also revealed the extent to which women legislators are strongly reluctant to see their role primarily as being representatives of women's interests. The legacy of the communist past, whereby feminism has fallen into discredit/disrepute, and whereby any initiative in favour of women and women's rights is associated with feminism, can

explain the marked reluctance of many women politicians to be associated with ‘women’s issues’ in case this poses serious electoral risks to them.

Finally, the research uncovered the extent to which gender-role attitudes in Central and Eastern Europe have gradually changed over the past decade, alongside the consolidation of democratic practices. Although cultural changes have lagged behind political and economic changes, it is to be expected that future years will bring a further transformation of societal values and attitudes in relation to gender roles in the region and, therefore, a greater gender balance in political decision-making.

### 1.2.3 Europeanising gender equality

The research examined the extent to which EU accession has reoriented the direction and shape of national policy on gender equality in CEE. A key objective was to identify the opportunities that EU enlargement processes have afforded to new member states to develop a gender equality policy, as well as the barriers hindering the implementation of this policy.

Focusing on the adoption and implementation of EU gender equality norms as codified in the gender *acquis* and the gender mainstreaming strategy, the research analysed the level of awareness of those norms among policy actors in CEE and the development of institutional capacity for their implementation. The study paid particular attention to the impact of those norms on the consolidation of democracy in the region, examining the involvement of civil society in the adoption and implementation of those norms.

#### *Accession, gender equality and Central and Eastern Europe*

Gender equality as a democratic value was an assumed part of the accession ‘package’ to which all applicant states were required to adhere. Candidate countries were required to transpose into their national legislation several pieces of EU equality legislation that constitutes the EU ‘equality *acquis*’.

A review of the gender equality legislation introduced in the accession and early post-accession period ranges from a minimalist disruption of existing laws to a maximalist

adoption of specific gender equality legislation. Two countries, Latvia and Poland, preferred to amend existing labour and social security codes to conform to EU standards on equal opportunities. Three states have enacted an omnibus anti-discrimination law as their bedrock of equal opportunities (Bulgaria, Hungary and Slovakia); three countries have adopted equal opportunities legislation (Slovenia, Romania and Lithuania). The Czech Republic is currently in the process of introducing a general equal opportunities law, so for now their legal response to gender equality is similar to that of Latvia and Poland. Only Estonia has passed legislation dealing exclusively with gender equality, the Gender Equality Act.

However, not all of these integrated laws incorporate all the elements of the EU equality *acquis*. The 2002 Romanian Law on Equal Opportunities for Women and Men does not contain regulations in relation to the reversal of the burden of proof. In other countries, the transposition of EU directives into national legislation is not complete. In Hungary, Section 18 (1) (3) of the equal treatment legislation mentions the reversal of the burden of proof, though the burden is not reversed completely, since the discriminated individual also has to prove her/his claim. Similarly, in Poland, formulation of the principle of reversal of the burden of proof meets and even exceeds the requirements of the directive, yet its work-based application excludes the possibility of its extension to sex discrimination in other contexts, such as the provision of goods and services.

The transposition of the directive on equal pay is also incomplete in Hungary, Poland and Romania, as these countries do not have a general job classification system offering the same pay criteria for male and female employees.

In relation to the transposition of the equal treatment directive, Hungary is distinct in that 'harassment' has not yet been defined or legally prohibited.

There are also problems in some countries with respect to the implementation of the directive on equal treatment for self-employed and assisting spouses; especially given the fact that self-employment is a relatively new concept in Central and Eastern Europe.

*Awareness of and attitudes towards EU gender equality norms*

Findings of our study show that across CEE public awareness of the EU gender equality directives is low, and at best citizens are most familiar with equality legislation that resonates with that which existed prior to the 1989 transition, namely equal pay and maternity leave.

Any awareness of the EU equality directives; and indeed of gender equality issues more broadly, results from the extent to which the legislation was discussed in the public domain during parliamentary debates on national equal opportunities acts, now in place in seven of the ten states. However, findings from the research reveal that, with a few notable exceptions, the adoption of EU equality legislation did not precede any significant parliamentary debate in the majority of the countries under study, since much of this legislation was passed without any major opposition. The rationale provided in most cases was that the adoption of this legislation was needed in order to comply with EU requirements, something that was echoed by respondents across CEE during interviews.

In sum, fieldwork across CEE reveals little public familiarity with (and dissemination of information about) new concepts such as the burden of proof in sex discrimination cases, part-time work regulations, and equal treatment for the self-employed and their spouses.

Women's NGOs in some countries have been especially active in raising public awareness in relation to EU equality directives. A number of respondents emphasised the important role of the EU in providing guidance to women's groups, as well as legitimating their demands, though on this point little consensus emerged from the interviews, since claims about the positive influence of the EU upon the women's sector in civil society were highly contested. Nonetheless, the research found a few cases where EU accession had galvanised women's organisations, leading to them uniting their forces to lobby for the introduction of equality legislation. This was particularly evident in the cases of Bulgaria, Estonia, Slovakia and Poland.

*Implementing gender mainstreaming in CEE: Constraints and opportunities*

The research examined the level of governments' commitment in CEE to gender mainstreaming and the role that women's alliances acting at elite levels (femocrats and female politicians; academics and experts; and non-governmental organisations) are playing in gendering policy processes and outcomes. A central objective was to analyse the major barriers to mainstreaming gender in public policy in the countries under study with a view to identifying the main challenges that these pose to the project of gendering democratic governance in the context of an enlarged, multi-level, European Union. Three main barriers were identified:

a) Lack of gender mainstreaming advocacy at grass-root levels:

An examination of the nature and scope of women's engagement in civil society aimed at gendering the policy agenda illuminates questions regarding patterns of gender mainstreaming development and implementation in CEE. In general terms, the research revealed that, with the exception of Bulgaria, gender mainstreaming does not represent a priority for women's organisations in the majority of countries.

Although the question of why women's organisations are not paying sufficient attention to gender mainstreaming is open to debate, findings from our research point to several possible explanations. The first is that women's organisations do not appear to be interested in gender mainstreaming as a policy priority. In the current socio-economic context of CEE, other issues are regarded as more urgent than gender mainstreaming, which is perceived as a long-term strategy that is not able to give a response to current needs.

The second explanation points to the lack of financial resources necessary to engage in gender mainstreaming. Indeed, the financial difficulties endured by women's NGOs across CEE were a recurring theme in many EGG interviews. While some of these organisations have been forced to close due to lack of funds, others have been obliged to seek grants from international sponsors. However, many organisations lack the capacity to secure funding through these projects, as this requires certain levels of expertise as well as the availability of time and resources. An additional factor concerns the priorities of international sponsors, particularly the emphasis upon the provision of services for

disadvantaged women. This has meant that it is much more difficult for women's NGOs to obtain funding to develop their gender mainstreaming knowledge and capacity in order to influence policy.

b) Ineffective gender equality infrastructure:

The urgings of the European Commission regarding adopting a gender mainstreaming policy and infrastructure has met with a general response, even if it is notably lacking in enthusiasm. A plethora of units, commissions, parliamentary committees, advisory councils and gender focal points exist, with each country creating its own combination. However, the analysis found that their role in the development and consolidation of a gender mainstreaming approach is, on the whole, still insufficient and, in some cases, lacking altogether. This is due to a variety of reasons such as lack of knowledge and expertise on gender equality/gender mainstreaming; lack of capacity in terms of staff and expertise; insufficient level of financial resources; marginalized location within the ministerial structures, lack of power and authority; and the prioritisation of other equality strands over gender.

First, in the majority of cases, gender equality institutions are at the very periphery of the governmental institutional complex and characteristically lacking in decision-making powers. Their function is mainly that of acting as a 'catalyst' for the implementation of gender equality/gender mainstreaming. A second characteristic shared by the majority of gender equality institutions is an inadequate level of staff employed, and their lack of knowledge and expertise on gender equality concepts, objectives and methods. Thirdly, some countries showed a marked tendency towards the framing of gender mainstreaming policy against a broader 'equality mainstreaming' policy that includes other discriminatory grounds in addition to gender. Although this tendency alone does not necessarily entail the marginalisation of gender equality issues, the research found that in those CEE countries where the main approach taken is a general equality mainstreaming approach, a clear priority is being given to ethnic minority issues at the expense of gender.

c) Social dialogue underdeveloped:

The most critical weakness in making gender equality policy work rests in the exclusion of civil society from the process. A major obstacle to civil society participation in policy-making is the lack of government openness to civil society. Given this, the participation of civil society in policy-making amounts to little more than formal consultative exercises where women's views are rarely fed into the process of policy formation, rather than consisting in a social dialogue in which their interests and concerns are discussed and taken into account from the initial policy planning process. This can be partly explained by the lack of a tradition of participatory democracy in these countries. However, even in political systems relatively open to pluralist politics, such as that of Slovenia, women's efforts to have their voices and perspectives included in policy processes are limited.

*Discussion*

The question as to whether there has been a successful transfer of gender equality policy from the European Union to the national programmes of the new and accession member states evokes a mixed response.

First, the research showed that the transposition of the gender *acquis* was relatively unproblematic on a formal level, but that breathing life into these gender laws has met with differing degrees of resistance, incomprehension, and lack of political will across the accession countries, with the possible exception of Slovenia. In addition, the widespread reluctance to legislate on gender equality by way of adopting an integrated gender equality law reveals the extent to which the gender equality problem continues to fail to be considered as a distinctive issue requiring especial attention.

Second, the analysis of gender mainstreaming revealed that progress in the development and implementation of this approach is proceeding quite unevenly in the countries under study. Bearing in mind the relative levels of cross-national variation in this regard, the study nonetheless showed that gender mainstreaming practices are barely perceptible in the majority of the countries in the region. In particular, the analysis showed that the vehicles for ensuring that women's interests are represented in governance (gender

machineries and women civil society organisations) do not have the level of political power and resources that are necessary for putting gender mainstreaming into practice.

Third, the research found that the voices of women's organizations in civil society are rarely included in gender mainstreaming policy planning and formulation. The lack of partnership between government and civil society in gender mainstreaming policy represents a major problem for its effective implementation. What is more, as long as women's organisations are excluded from gender mainstreaming processes, these practices remained un-checked.

The lack of progress in gender mainstreaming in CEE and, in particular, the exclusion of women's civil society organizations from these processes, clearly signals the existence of a democratic deficit in the region. Without a broad consensus about the need to change entrenched gendered power structures in these societies, gender mainstreaming amounts to little more than a formal rhetorical exercise aimed at paying lip service to EU and international requirements. In the light of this, it may take quite some time before the transformative potential of gender mainstreaming can even begin to be realised. This is particularly important given that it is precisely such transformative potential that is characteristically invoked as the chief rationale for its adoption as an approach to gender equality issues.

#### 1.2.4 Case study: Trafficking in women for the purposes of sexual exploitation

In evaluating progress in the adoption and implementation of gender mainstreaming in CEE, the research examined the extent to which a gender equality perspective has been incorporated in the policies and legislation against trafficking in women that have been recently adopted in those countries, as well as considering the role and influence of civil society (in particular women's organisations) in setting the agenda and shaping government policy and legislation in this regard.

##### *Anti-trafficking legislation and policy*

The UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, adopted in 2000, provides the main regulatory framework for the national anti-trafficking legislation of the 117 signatory countries. A key feature is its acknowledgment of the gendered nature of trafficking, recognising that much trafficking is for the purpose of prostitution and for other forms of sexual exploitation. The Protocol also recognizes the need for a combined approach to trafficking that integrates the protection of human rights and the assistance to victims with effective prevention, prosecution and judicial cooperation.

At the time of writing, most of the countries included in the EGG study have ratified the Protocol, with the exceptions of the Czech Republic and Hungary. This has led to changes in the Criminal Code of the majority of cases, yet only two (Bulgaria and Romania) have adopted a comprehensive law against trafficking which regulates all the different strands and dimensions of the problem. In the remaining countries, legislative changes to comply with the requirements set out in the Protocol have proceeded in a piecemeal way and the body of anti-trafficking laws continues to be quite fragmented. As a result of this, in most of these countries existing national anti-trafficking legislation fails to meet the commitments set forth in the Protocol, especially those related to the protection, assistance and empowerment of victims and the recognition of the gender dimensions of the problem.

In general terms, the focus of the anti-trafficking action in the majority of countries studied is still geared towards combating illegal immigration and organized crime. Apart from a focus on migration and law enforcement most initiatives put a greater emphasis on prevention than on victim protection and empowerment. Indeed, it is in the field of prevention where a gender perspective is detected in some countries. However, the range and scope of measures geared towards assisting and protecting the victims is deficient, while the demand side of the problem is not taken into account. The gender dimension rarely receives consideration.

### *Role of NGOs*

A necessary condition for NGOs to influence the integration of a gender perspective in trafficking policy and legislation is the adoption of a gender equality perspective within their agendas in the first place. In most of these countries under study, the main NGOs/IGOs directly involved in combating trafficking in women take a broad diversity of approaches to the problem. However, the work of majority of them is mainly project-based, usually dealing with awareness raising, doing research, giving consultation and medical help to prostitutes or victims of trafficking.

Second, in order to influence policy and legislation regarding trafficking in women, NGOs also need some level of access to state institutions. Only in the case of the two countries to have introduced a comprehensive law dealing with the different aspects of trafficking (Bulgaria and Romania), was there any NGO participation in the drafting of anti-trafficking legislation. In contrast to this, the legislative amendments introduced in Poland, Estonia, Czech Republic and Hungary were passed without the participation of NGOs. Such legislative changes consisted of an exclusively 'top-down' process, geared more towards the fulfilment of international commitments than substantive engagement with the issue.

Third, NGO networks give organisations power, legitimacy and knowledge. However, findings from the research reveal that NGO cooperation is at best difficult, if not non-existent. Sometimes this lack of cooperation is due to differences in approaches to trafficking, while in others it is explained in terms of a strong competition in securing funding for projects.

### *Discussion*

The findings from our case study on trafficking provide further evidence of slow progress in the integration of a gender perspective in policy-making in CEE. Gender considerations are very rarely taken into account at any stage of the policy process and if and when they do, they are given very low priority. In this regard, compliance with international requirements is minimal and, in most cases, only partial.

The findings also point to the lack of a gender-sensitive approach among NGOs, as well as the fragmentary nature of civil society in CEE. They also give further evidence that social dialogue is hardly practiced in these countries, so that civil society organisations are routinely excluded from policy-making. This represents an important obstacle to the integration a gender equality perspective into trafficking policy, since what this means and how it is to be done is not a 'given', but rather is something that needs to be settled through a wide social dialogue that includes all the key actors concerned.

More generally, the results of this case study lend support to the main hypothesis of the project, namely that that the importance of women's contributions to building a sustainable democracy is under-recognised in the development of democratic practices. Thus, the strong focus that anti-trafficking policy is placing on the prosecution of traffickers at the expense of protecting, supporting and empowering survivors, provides an illustration of the extent to which government institutions are giving preference to masculine norms, values and practices over gender-sensitive norms, values and practices.

### **1.3 Policy Implications**

The EGG research findings outlined above highlight a number of issues in relation to women's political representation in Central and Eastern Europe that have some important implications for policy, both at EU and at national levels. In particular, the research exposed the persistence of significant gender inequalities in the new and acceding member states of Central and Eastern Europe, examined the factors underlying such inequalities, and drew attention to the implications that these have for the consolidation of democracy in an enlarged EU. A general argument stemming from the study is the need to make inclusive governance a reality across the EU, striving towards a model of decision-making which is well-informed, and that incorporates the wide diversity of voices, expertise and interests of women (as well as that of other groups). Above all, evidence from the research reinforces the thesis according to which gendering democratic governance in the EU is a transformative project, and as such it has the potential to remove current gender biases as well as contributing to the deepening of democracy in the EU and beyond.

In this respect, the EGG research offers important policy lessons for the EU concerning the transfer of gender equality norms in future enlargement processes. In uncovering the many barriers that obstruct the effective implementation of those norms, it casts doubt upon the strict ‘top-down’ manner in which accession processes have been conducted so far, underscoring the advantages of greater partnership practices in such processes.

However, the research also highlights the extent to which the political under-representation of women is a multi-faceted problem, so that improving the current situation requires a variety of coordinated responses. This poses a major challenge to the future of policy in this area.

In particular, policy efforts should be aimed at:

- Addressing the existing knowledge gaps in relation to women and politics in the region through the allocation of research funds directed to this specific area;
- Facilitating a fruitful dialogue between ‘new’ and ‘old’ EU member states on gender equality concepts, goals and objectives, as well as the exchange of best practice on the potential and effectiveness of the policy strategies available to achieve those goals;
- Promoting public awareness on EU norms and practices with respect to gender equality;
- Supporting the development of a vibrant women’s sector in civil society;
- Developing a wide range of education programmes and awareness-raising campaigns on gender stereotyping, targeted at different sectors of the population;
- Increasing women’s representation in political decision-making through a mix of affirmative action and other supportive measures.
- Generating expertise on gender-sensitive policy-making and implementation among legislators, civil servants, civil society, employers, the judiciary and other decision-making elites.